



Docket No.: 213.1143-CIP

**UNITED STATES PATENT & TRADEMARK OFFICE**

Examiner: Unknown Art Unit: Unknown  
Applicant: Hong Zhao, et al.  
Serial No.: 10/705,743  
Filed November 11, 2003  
For: **POLYMERIC PRODRUGS OF  
VANCOMYCIN**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 13, 2004

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO-1449 (1 page), which lists references which Applicants are aware of for this application. It is noted that Applicants have not enclosed a copy of the U.S. patent cited on form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserves the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

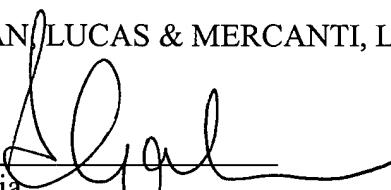
Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

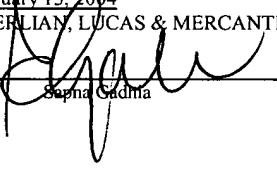
This Information Disclosure Statement is filed within three (3) months of the filing date of this application and before the mailing of a first Office Action on the merits. Accordingly, this document complies with the requirements of 37 C.F.R. §1.97(b). It is respectfully requested that the references cited in the accompanying PTO-1449 Form be considered and made of record.

Respectfully submitted,

MUSERLIAN, LUCAS & MERCANTI, LLP

  
Sapna Gadhia  
Registration No. 48,978

MUSERLIAN, LUCAS & MERCANTI, LLP  
475 Park Avenue South  
New York, NY 10016  
Phone: 212-661-8000  
Fax: 212-661-8002

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on January 13, 2004.  
MUSERLIAN, LUCAS & MERCANTI, LLP  
BY:   
Sapna Gadhia

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant